(16)

HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM: **Hon'ble Shri Jagdish Bhalla Ag. CJ &**
Hon'ble Shri Dilip Raosaheb Deshmukh J.

M. A. (C) NO. 602 OF 2007

APPELLANTS CLAIMANTS

1. Ramu S/o Jagu Ram aged about 50 years caste Malar (Soni)
2. Lilawati W/o Ramu Ram aged about 45 years.

Both are Resident of Village Dwarikapur P/S Ramanujnagar Tahsil Surajpur, Distt. Surguja (C.G.)

Vs.

RESPONDENTS NON APPLICANTS

1. Chmal Sai S/o Ali Ram aged about 52 years caste Kanwar occupation agriculture. (Owner)
2. Ram Naresh S/o Shri Sai aged about 25 years caste Kanwar Occupation agriculture (Driver)
Respondent No.1&2 are resident of Vill. Bundia Chowki Bhatgaon Tah. Surajpur Distt. Surguja (C.G.)
3. The Oriental Insurance Company Limited, Through – Branch Manager, Manendragarh Road Ambikapur, Distt. Surguja (C.G.) (Insurer)

Appeal under Section 173 of Motor Vehicle Act for enhancement

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Present: None appears for the appellants.

ORAL ORDER
(Passed on 10th July, 2007)

The following oral order of the Court was passed by **Dilip Raosaheb Deshmukh, J.**

When this case was called out on 9th July, 2007 none appeared on behalf of the appellants. Even today i.e.10th July, 2007 when the case is called out again no representation was made on behalf of the appellants.

None appeared for the petitioner to inform us whether the arguing counsel is ill or otherwise nor any application for adjustment has been made.

This appeal arises out of an award dated 15.02.2007 passed by the Motor Accident Claim Tribunal, Surajpur (henceforth 'the Tribunal') in Claim Case No.40/2005 whereby compensation of Rs.2,25,400/- was awarded to the claimants for the accidental death of their unmarried son Shobhit Ram who at the relevant time was aged about 26 years and was working as a labourer in a remote area of Tahsil Surajpur District Surguja. Assessing the daily income of the deceased at Rs.70/- per day and the monthly income at Rs.2100/- the Tribunal has awarded compensation under the following heads:-

a.	Loss of dependency	Rs.2,18,400/-.
b.	Funeral expenses	Rs.2000/-
c.	Loss of love and affection	Rs.5000/-
	Total -	Rs.2, 25,400/-.

We are of the considered opinion that compensation awarded by the Tribunal is just and reasonable and calls for no interference. Accordingly, the appeal is dismissed at the stage of admission itself.

Sd/-
Ag. Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

Karuna